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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,679	09/07/2006	Gilles Coral	1759.229	8782
23405 7590 11/13/2008 HESLIN ROTHENBERG FARLEY & MESTI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203				
EXAMINER				
COURSON, TANIA C				
ART UNIT		PAPER NUMBER		
2841				
MAIL DATE		DELIVERY MODE		
11/13/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,679

Applicant(s)

CORAL, GILLES

Examiner

TANIA C. COURSON

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07SEP06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/CIS)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date 07SEP06

DETAILED ACTION

Claim Objections

1. Claim 5 is objected to because of the following informalities: in line 3, "is stored." should read "is stored; ". Appropriate correction is required.
2. Claim 5 is objected to because of the following informalities: in line 15, "rotation speed (Va) obtained when the reel was empty" should read "rotation speed (Vo) obtained when the reel was empty". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuroda (EPO 952245 A12).

Kuroda discloses in Figures 1-5, a method of resetting a spindle drive comprising:

With respect to claims 1-11 and 15:

- a) A method for resetting metering of a length of yarn being wound on a reel,
wherein: a rotation speed (Vo) obtained with the reel empty is recorded

beforehand; after start-up, a rotation speed (V_d) of the reel that is being wound is measured, this speed (V_d) corresponds to a maximum speed reached at an end of a start-up acceleration phase and at a start of a gradual slowdown phase after a winding phase and this speed (V_d) is compared to the speed (V_o) obtained when the reel was empty; if the rotation speed (V_d) measured after start-up is substantially equal to or greater than the rotation speed (V_o) obtained when the reel was empty, the length metering is then reset; if the rotation speed (V_d) after start-up is substantially less than the rotation speed (V_o) obtained when the reel was empty, metering is resumed from a point where metering stopped (paragraphs 27-28);

- b) wherein reinitialization of metering comprises a simple zero reset (paragraph 41);
- c) wherein, to obtain improved metering accuracy, this the reset comprises resetting a counter to a winding length recorded during the acceleration phase (paragraphs 43-44);
- d) wherein the rotation speed (V_d) is measured continuously or at regular intervals during winding of the yarn on the reel (paragraph 29);
- e) wherein: a rotation speed (V_a) measured immediately before a winding stoppage is stored; a rotation speed (V_d') after restarting is measured and compared firstly to the rotation speed (V_o) obtained with an empty reel and secondly to the speed (V_a) stored immediately before the stoppage, so that: if the rotation speed (V_d') measured after restarting is substantially equal to the rotation speed (V_o) obtained when the reel was empty, length metering is reset; if the rotation speed (V_d')

measured after restarting is substantially equal to the rotation speed (V_a) obtained immediately before the stoppage, length metering is not reset and metering resumes from a point at which metering stopped; if the rotation speed (V_d') measured after restarting is less than the rotation speed (V_a) obtained when the reel was empty and greater than the rotation speed (V_a) obtained immediately before the stoppage, length metering is not reset and metering resumes from the point at which metering stopped and an alarm is triggered (Fig. 5);

- f) wherein if the rotation speed (V_a) measured immediately before the stoppage is substantially equal to the rotation speed (V_o) obtained when the reel was empty, length metering is reset and an alarm is triggered in order to indicate risk of abnormal metering (Fig. 5);
- g) wherein a rotation speed (V_p) equivalent to a final meterage of a correctly wound reel and/or the rotation speed equivalent to a maximum diameter of the reel accommodated by a winding system is recorded beforehand (paragraph 35);
- h) wherein the rotation speed (V_d) is measured continuously or at regular intervals during production (paragraph 29);
- i) wherein a rotation speed measured immediately before a winding stoppage is stored so that: if the rotation speed (V_d) measured after restarting and/or during winding is substantially equal to or less than the rotation speed (V_p) equivalent to the final meterage of a correctly wound reel and/or the rotation speed equivalent to the maximum diameter of the reel accommodated by the winding system,

winding is interrupted and an alarm is triggered in order to indicate that the reel reached an excessively large diameter (paragraph 35);

- j) wherein the rotation speed (V_p) equivalent to the final meterage of a correctly wound reel is recorded beforehand so that, if the rotation speed (V_a) of the reel immediately before stoppage on reaching a programmed meterage differs from the rotation speed (V_o) equivalent to the final meterage, an alarm is triggered in order to indicate that a diameter of the wound reel does not match an expected final diameter (paragraph 35);
- k) wherein a table containing rotation speed as a function of meterage reached for a correctly wound reel is recorded beforehand, so that, if the rotation speed measured at any time during winding differs from a rotation speed equivalent to the meterage reached at an instant in question for a correctly wound reel, an alarm is triggered indicating that the diameter of the wound reel does not match the expected diameter (paragraph 47);
- l) wherein the winding length recorded during the acceleration phase is estimated by counting reel revolutions during the acceleration phase (paragraph 40).

5. Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Giles (US 4,024,645).

Giles discloses in Figures 1-5, a method of resetting a spindle drive comprising:

With respect to claims 1-11 and 15:

- a) A method for resetting metering of a length of yarn being wound on a reel, wherein: a rotation speed (V_o) obtained with the reel empty is recorded beforehand; after start-up, a rotation speed (V_d) of the reel that is being wound is measured, this speed (V_d) corresponds to a maximum speed reached at an end of a start-up acceleration phase and at a start of a gradual slowdown phase after a winding phase and this speed (V_d) is compared to the speed (V_o) obtained when the reel was empty; if the rotation speed (V_d) measured after start-up is substantially equal to or greater than the rotation speed (V_o) obtained when the reel was empty, the length metering is then reset; if the rotation speed (V_d) after start-up is substantially less than the rotation speed (V_o) obtained when the reel was empty, metering is resumed from a point where metering stopped (column 6, lines 18-47);
- b) wherein reinitialization of metering comprises a simple zero reset (column 4, lines 27-49);
- c) wherein, to obtain improved metering accuracy, this the reset comprises resetting a counter to a winding length recorded during the acceleration phase (column 4, lines 27-49);
- d) wherein the rotation speed (V_d) is measured continuously or at regular intervals during winding of the yarn on the reel (column 7, lines 9-12);
- e) wherein: a rotation speed (V_a) measured immediately before a winding stoppage is stored; a rotation speed (V_d') after restarting is measured and compared firstly to the rotation speed (V_o) obtained with an empty reel and secondly to the speed

- (Va) stored immediately before the stoppage, so that: if the rotation speed (Vd') measured after restarting is substantially equal to the rotation speed (Vo) obtained when the reel was empty, length metering is reset; if the rotation speed (Vd') measured after restarting is substantially equal to the rotation speed (Va) obtained immediately before the stoppage, length metering is not reset and metering resumes from a point at which metering stopped; if the rotation speed (Vd') measured after restarting is less than the rotation speed (Va) obtained when the reel was empty and greater than the rotation speed (Va) obtained immediately before the stoppage, length metering is not reset and metering resumes from the point at which metering stopped and an alarm is triggered (column 7, lines 13-52);
- f) wherein if the rotation speed (Va) measured immediately before the stoppage is substantially equal to the rotation speed (Vo) obtained when the reel was empty, length metering is reset and an alarm is triggered in order to indicate risk of abnormal metering (column 7, lines 13-52);
- g) wherein a rotation speed (Vp) equivalent to a final meterage of a correctly wound reel and/or the rotation speed equivalent to a maximum diameter of the reel accommodated by a winding system is recorded beforehand (column 7, lines 13-52);
- h) wherein the rotation speed (Vd) is measured continuously or at regular intervals during production (column 7, lines 13-52);
- i) wherein a rotation speed measured immediately before a winding stoppage is stored so that: if the rotation speed (Vd) measured after restarting and/or during

winding is substantially equal to or less than the rotation speed (V_p) equivalent to the final meterage of a correctly wound reel and/or the rotation speed equivalent to the maximum diameter of the reel accommodated by the winding system, winding is interrupted and an alarm is triggered in order to indicate that the reel reached an excessively large diameter (column 7, lines 13-52);

- j) wherein the rotation speed (V_p) equivalent to the final meterage of a correctly wound reel is recorded beforehand so that, if the rotation speed (V_a) of the reel immediately before stoppage on reaching a programmed meterage differs from the rotation speed (V_o) equivalent to the final meterage, an alarm is triggered in order to indicate that a diameter of the wound reel does not match an expected final diameter (column 7, lines 13-52);
- k) wherein a table containing rotation speed as a function of meterage reached for a correctly wound reel is recorded beforehand, so that, if the rotation speed measured at any time during winding differs from a rotation speed equivalent to the meterage reached at an instant in question for a correctly wound reel, an alarm is triggered indicating that the diameter of the wound reel does not match the expected diameter (column 7, lines 13-52);
- l) wherein the winding length recorded during the acceleration phase is estimated by counting reel revolutions during the acceleration phase (column 7, line 60 through column 8, line 7).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art cited on PTO-892 and not mentioned above disclose a method of resetting a measuring device:

Aeppli (US 5,074,480)

Erni et al. (US 4,715,550)

Stutz (US 4,373,266)

Felix (US 4,315,607)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tania C. Courson whose telephone number is (571) 272-2239. The examiner can normally be reached on Monday-Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard, can be reached on (571) 272-1984.

The fax number for this Organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher W. Fulton/
Primary Examiner, Art Unit 2841

TCC
November 7, 2008